

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 19-cr-0250 (WMW/ECW)

Plaintiff,

v.

Johnnie Lamar Haynes (1),

Defendant.

**ORDER GRANTING DEFENDANT'S
AMENDED MOTION FOR TRIAL
CONTINUANCE AND EXCLUDING
TIME UNDER SPEEDY TRIAL ACT**

This matter is before the Court on Defendant Johnnie Lamar Haynes's amended motion for a trial continuance and to exclude time under the Speedy Trial Act. (Dkt. 120.) The trial currently is scheduled to begin on September 16, 2020. Defendant moves to continue the trial on several bases, including the inability to fully review the evidence while in custody; restrictions on the ability to communicate with counsel; and the inability to identify, locate, and communicate with potential witnesses. Defendant contends that these circumstances are not the result of a lack of diligence, and he emphasizes the detrimental effects of the ongoing COVID-19 pandemic on his ability to prepare for trial.

The Court has reviewed and carefully considered Haynes's motion. Under these circumstances, and taking into account the exercise of due diligence by defense counsel and the effects of the COVID-19 pandemic, the Court finds that the failure to exclude time to allow for additional trial preparation in this case would deny defense counsel the reasonable time necessary for effective preparation. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The Court, therefore, finds that the ends of justice served by continuing the trial date

outweigh the interests of the public and the Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A).

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. Defendant Johnnie Lamar Haynes's amended motion for a trial continuance, (Dkt. 120), is **GRANTED**.
2. Plaintiff United States of America's motion for a trial continuance, (Dkt. 119), is **DENIED AS MOOT**.
3. This matter is now scheduled for trial beginning on Tuesday, January 19, 2021, at 9:00 a.m. in Courtroom 7A of the Saint Paul Courthouse, 316 North Robert Street, Saint Paul, Minnesota.
4. The time between the date of this Order and January 19, 2021, is excluded from the Speedy Trial Act computations pursuant to 18 U.S.C. § 3161(h)(7)(A).

Dated: August 31, 2020

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge